

Rose-anne Hawkswood
Planning and Assessment
Major Projects
By email: rose-anne.hawkswood@planning.nsw.gov.au

Dear Rose-anne

Modification Application and Report for the Sunrise Mine Modification 7 – Design Changes (DA374-11-00-Mod-7).

Thank you for the opportunity for Heritage NSW (HNSW) to comment on the Aboriginal cultural heritage (ACH) assessment for the proposed modification to expand the Railway Siding (Mod 7). HNSW has not identified any issues regarding the ACH assessment but wish to draw the attention of Department of Planning Infrastructure and Environment (DPIE) to the reference used for describing Aboriginal stakeholders in the draft consent conditions.

Complex planning history

HNSW recognise that the Sunrise nickel mine has been subject to a complex planning history under the *Environmental Planning and Assessment Act 1979* (EPA Act) since receiving project approval in 2001 under Sections 76(A) 9 & 80 of the EPA Act and later, modified under section 75W approval (State Significant Development). The modification did not extinguish the earlier requirement *National Parks and Wildlife Act 1974* (s.90A) consequently management of Aboriginal objects previously identified in the project area required an Aboriginal Heritage Impact Permit (AHIP) which was issued 31 July 2017 (C0003049).

As you are aware HNSW have participated in earlier reviews of the ACH assessments for the previous AHIP application and reviewed previous drafts of the Heritage Management Plan Heritage Management Plan (HMP).

Negligible harm to ACH

HNSW acknowledge that no Aboriginal objects were located in the investigation area for the proposed railway siding modification (Mod 7). HNSW concur with the assessment findings that the nil result is consistent with the landscape context which is unlikely to contain surviving evidence of Aboriginal objects, as described in the ACH assessment report (Landscape 2021:17-21). HNSW further recognise that no information was provided by the Registered Aboriginal Parties involved in the field survey or the overall consultation process (2021:9 and Appendix 4).

Recommendation for one change to draft consent conditions

Draft Consent Condition 38 and 40(b) identifies the Condobolin Local Aboriginal Land Council (CLALC) as the party for Aboriginal consultation matters. The correct reference to Aboriginal stakeholders who registered an interest in the project is, "Registered Aboriginal Party (RAP)". Several other Aboriginal Registered Parties are listed for the project. It is noted that the current

HMP makes correct reference to the use of Registered Aboriginal Party. HNSW request DPIE consider updating the draft consent conditions accordingly.

If you have any questions regarding the above advice, please contact Phil Purcell, Archaeologist at Heritage NSW, on 68835341 or phil.purcell@environment.nsw.gov.au.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'S. Higgs', written over a faint circular stamp.

DR SAMANTHA HIGGS

Senior Team Leader

Aboriginal Cultural Heritage Regulation - North

Heritage NSW Community Engagement

Department of Premier and Cabinet

16 August 2021